

Amendment and Response Under 37 C.F.R. §1.116 - Expedited Examining Procedure
Serial No.: 10/019,643
Confirmation No.: 1109
Filed: March 20, 2002
For: METHOD AND COMPOSITION FOR AFFECTING REPRODUCTIVE SYSTEMS

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Remarks

The Advisory Action mailed March 4, 2005 has been received and reviewed. Claims 4 and 6 having been amended, the pending claims are claims 4, 6, 12-21, 23, and 27-29. Support for amended claim 4 is found, for example, on page 23, lines 25 and 28, and page 28, lines 9-10, of the specification. Applicants respectfully submit that the amendments to claims 4 and 6 do not add new matter and do not raise new issues that require further consideration and search. Reconsideration and withdrawal of the rejections are respectfully requested.

The 35 U.S.C. §112, First Paragraph, Rejection

The Examiner maintained the rejection of claims 4, 6, 12-21, 23, and 27-29 under 35 U.S.C. §112, first paragraph, alleging that the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims. Applicants continue to maintain that the specification provides adequate enablement for the claimed methods of treating or preventing a reproductive disease, disorder, or condition in a bird, including methods of treating or preventing cystic hyperplasia. However, to expedite prosecution, Applicants have amended claim 4 to recite a "method for treating or preventing a reproductive disease, disorder, or condition related to egg production or egg laying in a bird" and amended claim 6 to delete the recitation "cystic hyperplasia." Applicants reserve the right to continue prosecution of cancelled subject matter in a continuing application. Applicants respectfully submit that the specification provides adequate enablement for the claimed methods of treating or preventing a reproductive disease, disorder, or condition related to egg production or egg laying in a bird. Withdrawal of the rejection of claims 4, 6, 12-21, 23, and 27-29 under 35 U.S.C. §112, first paragraph, is respectfully requested.

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Summary

It is respectfully submitted that the pending claims 4, 6, 12-21, 23, and 27-29 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
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March 16, 2005
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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16 day of MARCH, 2005, at 2:30pm (Central Time).

By: Sandy Truchart
Name: Sandy Truchart